APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,129	07/05/2001	Satoshi Harada	04783/019001	5074

22511　　7590　　12/28/2005	EXAMINER
OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010	FISH, JAMIESON W

	ART UNIT	PAPER NUMBER
	2617	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _21 December 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-17,20-23 and 26-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-17,20-23, 26-29_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 09-30-2005 have been fully considered, but they are not persuasive. The applicant argues that Reimer does not disclose "acquiring command timing information at the time that said first command is received on a basis of prescribed timing management information which is contained in said transmission stream without interrupting said transmission stream" and argues that Reimer *immediately displays* product information. As presented in the previous Office Action (See Paragraph 1) "acquiring command timing information" in Reimer (Step 2104) involves reading a value from a table. Although this information is subsequently displayed (Step 2108) the step of reading a value from a table (Step 2104) does not involve displaying the information.

Furthermore, the process on page 24 line 15-page 25 line 6 of the Specification ends in a symbol (display data) being output to the user which is also subsequently displaying information.

Furthermore, page 15 lines 21-25 of the specification states "This reception terminal system comprises: an antenna 21 for receiving electromagnetic waves (transmission stream) sent from the transmitting section 19 illustrated in Fig. 1 via a broadcast satellite." Thus, "interrupting the said transmission stream" could be reasonably interpreted as stopping the receiving or transmitting of a broadcast stream.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.

1.   Claims **1-3, 9-10, 14-15, 26-28** are rejected under 35 U.S.C. 102(b) as being

anticipated by Reimer et al (US 5,696,905).

2.   Regarding claim **1**, Reimer teaches a method for using a reception terminal

device comprising: storing object image information for object images to be displayed

on a screen according to a stream, and display timing information at which said object

images are to be displayed, in a mutually corresponding fashion (See Fig. 1 Fig. 10A,

Fig. 22A Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16

Tables are stored in databases 112 and 122 relate actor and/or products displayed with

a display time and/or a scene); when an object image is displayed on the screen on a

basis of said transmission stream being received, and when a first command is received

from a user, acquiring command timing information at the time that said first command

is received on a basis of prescribed timing management information which is contained

in said transmission stream without interrupting said transmission stream (See Fig. 21,

Step 2104, and Col. 23 lines 31-67, Col. 24 lines 1-19 Upon receiving a first user query

about merchandise in a scene, the scene is identified); and identifying said displayed

object image based on said acquired command timing information (See Fig. 21, Step

2106 Col. 23 lines 31-67, Col. 24 lines 1-19 Products associated with the scene are

identified).

3.   Regarding claim **2**, Reimer teaches wherein the method includes displaying

object image information for said identified object image on said screen when a second

command has been received from the user (See Fig. 21, Step 2110 Col. 23 lines 31-67,

Col. 24 lines 1-19 User selects specific object from a list and receive specific

information).

4.   Regarding claims **3** and **26,** Reimer teaches the method according to claims 1 or

2, wherein said timing management information indicates a relative position from a

prescribed position on the time axis of said transmission stream (See Fig. 10A, Fig. 22A

and Col. 17 lines 10-14, 51-63, Col. 23 lines 4-16).

5.   Regarding claim **4, 27** and **28** Reimer teaches wherein said reception terminal

device displays a prescribed mark on said screen, when displayed object image has

been identified (See Col. 23 lines 47-54).

6.   Regarding claim **5**, Reimer teaches wherein said reception terminal device

displays an input screen for inputting order details for ordering said identified object

image (See Col. 23 lines 43-Col. 24 line 43).

7.   Regarding claim **6**, Reimer teaches wherein said reception terminal device

issues order details input to said input screen, via a communications line (See Col. 23

lines 43-Col. 24 line 43).

8.   Regarding claim **7**, Reimer teaches wherein said reception terminal device

displays said identified plurality of object images respectively in a list on said screen, in

cases where a plurality of said displayed object images have been identified (See Col.

23 lines 43-Col. 24 line 43).

9.   Regarding claim **8**, Reimer teaches wherein said reception terminal device

deletes said stored object image information in accordance with control data for deleting

said object image information (See Col. 8 lines 28-33).

10.   Regarding claim **9**, Reimer teaches a method for using a reception terminal

device comprising: storing object images to be displayed on a screen on the basis of a

video and/or audio broadcasting stream which is contained in a transmission stream

being received, and display timing information at which said object images are to be

displayed, in a mutually corresponding fashion (See Fig. 1 Fig. 10A, Fig. 22A Col. 6

lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16 Object images

and tables relating actor and/or products displayed with a display time and/or a scene

are stored in databases 112 and 122); when an object image is displayed on the screen

on the basis of said video broadcasting stream contained in said received transmission

stream, and when a first command is received from a user, acquiring command timing

information for the time at which said first command is received on a basis of timing

management information contained in said transmission stream without interrupting said

transmission stream (See Fig. 21, Step 2104, and Col. 23 lines 31-67, Col. 24 lines 1-19

Upon receiving a first user query about merchandise in a scene, the scene is identified);

identifying said displayed object image based on said acquired command timing

information and said stored display timing information (See Fig. 21, Step 2106 Col. 23

lines 31-67, Col. 24 lines 1-19 Products associated with scene are identified); after the

object image has been identified, extracting object image information for said identified

object image from the data broadcasting stream which is contained in the received

transmission stream (See Fig. 21, Step 2108 Col. 23 lines 47-54).

11.   Regarding claim **10**, Reimer teaches wherein the method includes displaying

said extracted object image information on said screen, if a second command is

received from the user (See Fig. 21, Step 2110 Col. 23 lines 31-67, Col. 24 lines 1-19

User selects specific object from a list and receives specific information).

12.   Regarding claim **14,** Reimer teaches a television device comprising: receiving

means for receiving transmission stream (See Fig. 1 User devices 106 Col. 6 lines 32-

45); generating means for generating video signals by encoding a first independent

stream contained in the transmission stream received by said receiving means (See

Col. 15 lines 11-65 A movie is sent to a user in digital form. Thus generating means for

generating video signals by encoding is inherent); first display control means for

displaying video based on said video signals generated by said generating means, on a

screen, in accordance with timing management information contained in the

transmission stream received by said receiving means (See Col. 6 lines 21-31); storing

means for storing object image information for object images in the video to be

displayed on said screen, and display timing information at which said object images

are to be displayed, in a mutually corresponding fashion (See Fig. 1 Fig. 10A, Fig. 22A

Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16 Tables are

stored in databases 112 and 122 relate actor and/or products displayed with a display

time and/or a scene); first operation receiving means for receiving a first command

according to operations performed by user (See Fig. 21, Step 2104, and Col. 23 lines

31-67, Col. 24 lines 1-19 Upon receiving a first user query about merchandise in a

scene, the scene is identified); timing information acquiring means for acquiring

command timing information for the time at which said first command is received by said

first operating receiving means, on the basis of said timing management information

without interrupting said transmission stream (See Fig. 21, Step 2104, and Col. 23 lines

31-67, Col. 24 lines 1-19 Upon receiving a first user query about merchandise in a

scene, the scene is identified); and identifying means for identifying a displayed object

image on the basis of command timing information acquired by said timing information

acquiring means and the display timing information stored in said storing means (See

Fig. 21, Step 2106 Col. 23 lines 31-67, Col. 24 lines 1-19 Products associated with the

scene are identified).

13.   Regarding claim **15**, Reimer teaches the television device further comprising:

second operation receiving means for receiving a second command from the user (See

Fig. 21, Step 2110 Col. 23 lines 31-67, Col. 24 lines 1-19 User selects specific object

from a list and receives specific information); and second display control means for

displaying object image information identified by said identifying means in accordance

with a second command received by said second operating receiving means (See Col.

6 lines 21-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

14.   Claim **11** and **29** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Reimer in view of Metz (US 5,768,539).

15.   Regarding claim **11** and **29**, Reimer differs from the claimed invention in that

Reimer does not necessarily transmit object image information in a repeated fashion at

prescribed intervals wherein said reception terminal device extracts object image

information for said identified object image from the object image information group

transmitted in repeated fashion at prescribed intervals by said data broadcasting

stream. However, transmitting information in a repeated fashion at prescribed intervals

wherein a reception terminal receives this information i.e. using a carousel method is

well known in the art as taught by Metz (Col. 4 lines 18-29). Thus, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

Reimer so that object image information was transmitted using a carousel method as

taught by Metz. Carousel method transmission methods are advantageous in that the

method allows the receivers information even if reception is momentarily interrupted.

16.   Claims **12-13** and **20-23** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Reimer et al in view of Broadwin et al. (US 5,903,816).

17.   Regarding claim **12**, Reimer teaches a reception terminal device comprising:

receiving means for receiving transmission stream (See Fig. 1 User devices 106 Col. 6

lines 32-45); timing information acquiring means for acquiring command timing

information for the time that a first command is received on a basis of timing

management information without interrupting said transmission stream, when object

images are displayed on the screen on a basis of timing management information and a

first independent stream contained in said received transmission stream, and when said

first command according to operations by a user has been received (See Fig. 21, Step

2104, and Col. 23 lines 31-67, Col. 24 lines 1-19 When a movie is displayed a user

submits a query about a object in a scene. Upon receiving a first user query about

merchandise in a scene, the scene is identified); and identifying means for identifying a

displayed object image on the basis of said command timing information acquired by

said timing information acquiring means and the display timing information stored in

said storing means (See Fig. 21, Step 2106 Col. 23 lines 31-67, Col. 24 lines 1-19

Products associated with the scene are identified). Reimer differs from the claimed

invention in that the object image information and display timing information are not

necessarily stored at the User devices. This data, which is in the form of index tables, is

typically stored at database 122 (See Col. 7 lines 40-58). In a similar endeavor,

Broadwin teaches where information that is transmitted to the user upon request can

also be sent to the user in advance and stored locally at the set top box to be accessed

locally when needed (See Col. 3 lines 8-16 and Col. 11 lines 36-62). Thus, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to modify Reimer so that the index tables were stored in the User Device 106 as taught

by Broadwin to reduce navigation latency and improve system performance (See

Broadwin Col. 3 lines 8-17).

18.   Regarding claim **13**, Reimer modified with Broadwin teaches wherein said

reception terminal device comprises display control means for displaying, on said

screen, object image information for the object image identified by said identifying

means, when a second command from the user has been received (See Reimer Fig. 2

Processor 204 Col. 8 lines 28-57 and Col. 23 lines 47-61 User selects specific item to

be displayed).

19.   Regarding claim **20**, Reimer teaches a control method for a reception terminal

device comprising: when an object image is displayed on the screen on the basis of

said video image broadcasting stream contained in said transmission stream having

been received, and when a first command is received from a user, acquiring command

timing information for the time at which said first command was received on the basis of

timing management information contained in said transmission stream without

interrupting said transmission stream (See Fig. 21, Step 2104, and Col. 23 lines 31-67,

Col. 24 lines 1-19 Upon receiving a first user query about merchandise in a scene, the

scene is identified); identifying said object image on the basis of said acquired

command timing information and said stored display timing information (See Fig. 21,

Step 2106 Col. 23 lines 31-67, Col. 24 lines 1-19 Products associated with the scene

are identified); and after the object image has been identified, extracting object image

information for said identified object image from the data broadcasting stream contained

in the received transmission stream (See Fig. 21, Step 2108 Col. 23 lines 47-54).

Reimer teaches storing object images be displayed on a screen on a basis of a video

broadcasting stream contained in a transmission stream, and display timing information

at which said object images are to be displayed, in a mutually corresponding fashion

(See Fig. 1 Fig. 10A, Fig. 22A Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-

67, Col. 23 lines 1-16 Object images and tables relating actor and/or products displayed with a display time and/or a scene are stored in databases 112 and 122). Reimer differs from the claimed invention in that the object image information and display timing information are not necessarily stored at the User devices. This data, which is in the form of index tables, is typically stored at database 122 (See Col. 7 lines 40-58). In a similar endeavor, Broadwin teaches where information that is transmitted to the user upon request can also be sent to the user in advance and stored locally at the set top box to be accessed locally when needed (See Col. 3 lines 8-16 and Col. 11 lines 36-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Reimer so that the index tables were stored in the User Device 106 as taught by Broadwin to reduce navigation latency and improve system performance (See Broadwin Col. 3 lines 8-17).

20.   Regarding claim **21**, Reimer modified with Broadwin teaches the control method comprising: storing said extracted object image information (See Reimer Fig. 1 Fig. 10A, Fig. 22A Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16); and displaying said extracted object image information on said screen, if a second command is received from the user (See Reimer Fig. 2 Processor 204 Col. 8 lines 28-57 and Col. 23 lines 47-61 User selects specific item to be displayed).

21.   Regarding claim **22,** Reimer teaches a storage medium for storing a program for realizing prescribed functions in a reception terminal device, comprising: means for causing a transmission stream to be received (Col. 14 lines 64-67 The user makes a request which causes stream to be received); means for causing object image

information for object images to be displayed on a screen according to said

transmission stream, and display timing information at which said object images are to

be displayed, to be stored in a mutually corresponding fashion (See Fig. 1 Fig. 10A, Fig.

22A Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16

Tables are stored in databases 112 and 122 relate actor and/or products displayed with

a display time and/or a scene); means for causing command timing information for the

time that a first command was received to be acquired on the basis of timing

management information without interrupting said transmission stream, when object

images are displayed on the screen on the basis of timing management information and

a first independent stream contained in said received transmission stream, and when

said first command according to operations by the user has been received (See Fig. 21,

Step 2104, and Col. 23 lines 31-67, Col. 24 lines 1-19 Upon receiving a first user query

about merchandise in a scene, the scene is identified); and means for causing the

object to be identified on the basis of said command timing information acquired by said

timing information acquiring means and display timing information stored in storing

means (See Fig. 21, Step 2106 Col. 23 lines 31-67, Col. 24 lines 1-19 Products

associated with the scene are identified). Reimer differs from the claimed invention in

that the object image information and display timing information are not necessarily

stored at the User devices. This data, which is in the form of index tables, is typically

stored at database 122 (See Col. 7 lines 40-58). In a similar endeavor, Broadwin

teaches where information that is transmitted to the user upon request can also be sent

to the user in advance and stored locally at the set top box to be accessed locally when

needed (See Col. 3 lines 8-16 and Col. 11 lines 36-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Reimer so that the index tables were stored in the User Device 106 as taught by Broadwin to reduce navigation latency and improve system performance (See Broadwin Col. 3 lines 8-17).

22.   Regarding claim **23**, Reimer modified with Broadwin teaches a storage medium for storing a program according to claim **22**, said program further comprises: means for causing object image information for the object image identified by said identifying means to be displayed on said screen, when a second command from the user has been received (See Reimer Fig. 2 Processor 204 Col. 8 lines 28-57 and Col. 23 lines 47-61 User selects specific item to be displayed).

23.   Claims **16-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reimer et al. in view of Wistendahl et al. (US 5,708,845).

24.   Regarding claim **16**, Reimer teaches a method for using a reception terminal device comprising: storing object image information for object images to be displayed on a screen according to a transmission stream, display timing information at which said object images are to be displayed, in a mutually corresponding fashion (See Fig. 1 Fig. 10A, Fig. 22A Col. 6 lines 20-45, Col. 17 lines 51-63, Col. 22 lines 60-67, Col. 23 lines 1-16 Tables are stored in databases 112 and 122 relate actor and/or products displayed with a display time and/or a scene); and when a first command has been received from the user, after an object image is displayed on the screen on the basis of the received transmission stream, acquiring command timing information for the time at which said

first command has been received, the basis of prescribed timing management

information contained in said received transmission stream without interrupting said

transmission stream (See Fig. 21, Step 2104, and Col. 23 lines 31-67, Col. 24 lines 1-19

Upon receiving a first user query about merchandise in a scene, the scene is identified);

and identifying said displayed object image on the basis of said acquired command

timing information, said stored display timing information (See Fig. 21, Step 2106 Col.

23 lines 31-67, Col. 24 lines 1-19 Products associated with the scene are identified).

Reimer differs from the claimed invention in that screen position information at which

said object images are to be displayed is not necessarily stored; and objects are not

identified according to positional information acquired according to a position command

operation performed by the user. However, using positional information acquired

according to a position command operation performed by the user to identify an object

displayed on a screen is well known in the art as taught by Wistendahl (See Col. 5 lines

45-67). Thus, is would have been obvious to one of ordinary skill in the art at the time

the invention was to modify Reimer to use positional information acquired according to a

position command operation performed by the user to identify an object displayed on a

screen as taught by Wistendahl to allow user to select one of a plurality of objects

appearing on the screen (Wistendahl Col. 5 lines 46-50).

Regarding claim **17**, Reimer modified with Wistendahl teaches wherein said

reception terminal device displays object image information for said identified object

image on said screen when a second command is received from the user (See Reimer

Fig. 21, Step 2110 Col. 23 lines 31-67, Col. 24 lines 1-19 User selects specific object

from a list and receive specific information).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

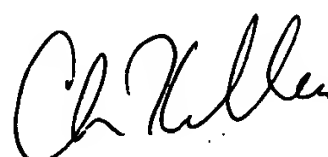than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jamieson W. Fish whose telephone number is 571-272-

7307. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JF 12-21-2005

CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600